

NO. PD-0672-17

CRYSTAL BOYETT	§	IN THE COURT OF COURT OF CRIMINAL APPEALS 12/12/2017
VS.	§	DEANA WILLIAMSON CLERK
THE STATE OF TEXAS	§	OF TEXAS AT AUSTIN

STATE'S MOTION TO EXTEND THE TIME  
FOR FILING THE STATE'S BRIEF ON APPELLANT'S PDR

TO THE HONORABLE JUDGES OF SAID COURT:

The State of Texas respectfully requests that the time for filing its brief in this cause be extended. In support of this motion the State would show the Court the following:

Appellant was convicted by a jury of manslaughter; she was assessed a sentence of twenty years in TDCJ by the jury. Counsel believes appellant is currently incarcerated. Appellant filed her brief on her petition for discretionary review on November 9, 2017, and the State's brief on PDR is due today, December 11, 2017. The State requests an extension of time to file its brief until January 11, 2018.

Counsel has good cause for the delay in filing this brief. Undersigned counsel is retained by the Hardin County District Attorney to represent the State in this appeal because that office has no appellate attorney. Counsel had abdominal surgery in October and was unable to work consistently at a desk for over a month. In addition, an elderly relative who lives with counsel had surgery in November, and counsel has since had to devote an unanticipated amount of time to caring for her. As a result,

counsel is still behind on other briefing, including preparation of the State's briefs in Blackmer v State, 11-17-00126-CR, 11-17-00127-CR, and 11-17-00128-CR, which are due on second extension on December 27. Because counsel briefed the instant case in the Court of Appeals nearly two years ago, counsel will have to re-read the entire jury trial record and undertake substantial research in order to complete the brief on this appeal. No previous extension has been requested by the State in this matter.

WHEREFORE, PREMISES CONSIDERED, the State respectfully requests that the time for filing the State's brief be extended until January 11, 2018.

Respectfully submitted,

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\_\_\_\_\_/s/ Sue Koriath\_\_\_\_\_  
by Sue Koriath  
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#### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served on James P. Spencer II, Attorney for Appellant, 232 Hannah Lane, Lumberton, Texas 77657, by email to [lawstar2003@yahoo.com](mailto:lawstar2003@yahoo.com) on the 11<sup>th</sup> day of December, 2017, or by e-service if defense counsel is registered with an e-service provider, or by U.S. Mail.

\_\_\_\_\_/s/ Sue Koriath\_\_\_\_\_  
SUE KORIOATH